

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

JOHN R. NEWBERN,

Petitioner,

v.

SHERIFF WINSTON C. PETERSON,

Respondent.

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Civil Action No.
7:08-CV-49 (HL)

ORDER

Before the Court is the Magistrate Judge's Report and Recommendation ("R&R") (Doc. 13), which recommends granting Respondent's Motion to Dismiss (Doc. 13) and dismissing, without prejudice, Petitioner's federal habeas corpus petition (Doc. 1). Petitioner filed no objections to the Magistrate Judge's R&R. After careful consideration and *de novo* review of the R&R, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge.

SO ORDERED, this the 11th day of February, 2009.

s/ Hugh Lawson
HUGH LAWSON, Judge

wjc